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REMARKS

Claims 1, 4, 5 and 10 have been amended herein. Claims 1-13 are pending in the application. Reconsideration and withdrawal of the rejections in the Office Action are respectfully requested based upon the amendments presented as well as the remarks presented herein.

Applicants acknowledge the Examiner's comments as to the Information Disclosure Statement on page 2 of the Office Action. Applicants will follow-up this Response with an Information Disclosure Statement, as requested by the Examiner, shortly.

Claims 1 and 5 were objected to. Applicants have amended the claims to adopt the Examiner's suggestions. Accordingly, reconsideration and withdrawal of the rejections are proper as the objections are deemed moot.

Claims 1-13 were rejected under 35 USC 112, second paragraph. Claims 1, 4, 5 and 10 have been amended to particularly point out and distinctly claim what the Applicants regard as the invention. Based upon the amendments, reconsideration and withdrawal of the rejections applied to claims 1, 4, 5 and 10 are respectfully requested.

Specifically, claims 11 and 12 were rejected under 35 USC 112, second paragraph because, according to the Office Action, recitation of "subsite" is unclear. These rejections are specifically traversed.

Whether a claim is definite is based upon whether the scope of the claim is clear to a hypothetical person possessing the ordinary level of skill in the art (see, e.g., MPEP 2171 et seq). Definiteness of claim language must be analyzed in light of the content of the particular application disclosure, the teachings of the prior art and the claim interpretation that would be given by one possessing the ordinary level of skill in the pertinent art at the time the invention was made (see, e.g., MPEP 2173.02 et seq). In the present case, Applicants recite use of the term "subsite" as acknowledged by the Office Action. Likewise, Applicants provide additional guidance by citing teachings, references, to further clarify their use of the term "subsite" and to show the teachings of the prior art at the time the invention was made. Applicants submit that the term "subsite" is objectively set forth with sufficient legal particularity in view of the teachings of the specification, as well as the cited references. If, after having read the specification and the cited references, the Examiner still feels that the term "subsite" is indefinite, Applicants invite the Examiner articulate the substance of his feelings (*Id.*). Reconsideration and withdrawal of the rejections of claims 11 and 12 are respectfully requested.

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Claims 1, 3, 4 and 10 were rejected under 35 USC 102(a) as being anticipated by Mutus et al. (Biochem. Biophys. Res. Comm., Vol. 112, NO.3, 941-947, 1983). This rejection is respectfully traversed for the reasons presented herein, and reconsideration and withdrawal of the rejection are respectfully requested.

The Office Action has not provided a *prima facie* case of anticipation with respect to claim 1 (and claims 3, 4 and 10 are dependent upon claim 1). Anticipation requires that each of the claimed elements is disclosed in the references (see MPEP 2131; and Verdegaal Bros. v. Union Oil Co. of California 814 F.2d 628, 631 (Fed.Cir. 1987)). Claim 1 recites a "...a chemically modified mutant enzyme with one or more amino acid residues...replaced by cysteine residues..." Mutus et al. do not teach an enzyme with one or more amino acid residues replaced by cysteine residues. Accordingly, Mutus et al. do not teach all of the claimed elements, and a *prima facie* case of obviousness is not provided in the Office Action. Accordingly, reconsideration and withdrawal of the rejections as applied to claim 1 (and also to dependent claims 3, 4 and 10) are respectfully requested.

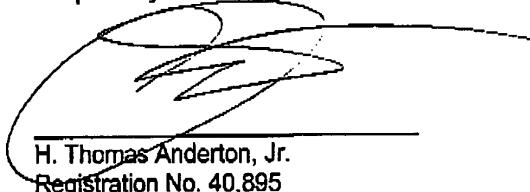
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CONCLUSION

In light of the above amendments, as well as the remarks, the Applicants believe the pending claims are in condition for allowance and issuance of a formal Notice of Allowance at an early date is respectfully requested. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (650) 846-7544.

An action on the merits and a Notice of Allowance are therefore respectfully requested.

Respectfully submitted,



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